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9 **BEFORE THE**
PHYSICIAN ASSISTANT COMMITTEE
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against :

Case No. 1E-2002-138785

13 THOMAS OWEN HALL, P.A.
8898 Simmons Road
14 Redding, CA 96001

ACCUSATION

15 Physician Assistant License No. PA-15462

16 Respondent.
17

18 Complainant alleges:

19 **PARTIES**

20 1. Richard L. Wallinder, Jr. ("Complainant") brings this Accusation and
21 Petition to Revoke Probation solely in his official capacity as the Executive Officer of the
22 Physician Assistant Committee, Department of Consumer Affairs.

23 2. On or about September 21, 2000, the Physician Assistant Committee
24 issued Physician Assistant License No. PA-15462 to Thomas Hall ("respondent"). The license
25 expired January 31, 2004, and has not been renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Physician Assistant Committee,
28 Medical Board of California ("Committee"), under the authority of the following sections of the

1 Business and Professions Code ("Code").

2 4. Section 3527 of the Code provides in part that the committee may order
3 the suspension or revocation or imposition of probationary conditions upon a physician's
4 assistant certificate for unprofessional conduct, which includes, but is not limited to, a violation
5 of the Medical Practice Act, or a violation of the regulations adopted by the committee or the
6 board..

7 5. Section 2234(e) of the Code provides in part that the commission of any
8 act involving dishonesty which is related to the qualifications, functions, and duties of a
9 physician constitutes unprofessional conduct.

10 6. Section 2234(f) of the Code provides in part that any action or conduct
11 which would have warranted the denial of a certificate constitutes unprofessional conduct.

12 7. Section 480(b)(2) of the Code provides part that the board may deny a
13 license on the grounds that the applicant has done any act involving dishonesty, fraud or deceit
14 with the intent to benefit himself or another.

15 8. Section 480(c) of the Code provides in part that the board may deny a
16 license on the ground that the applicant knowingly made a false statement of fact required to be
17 revealed in the application for licensure.

18 9. Respondent is guilty of conduct subject to discipline by the Committee
19 within the meaning of Code sections 2234(e) and 2234(f) in conjunction with section 480, as
20 more specifically set forth below.

21 FIRST CAUSE FOR DISCIPLINE

22 (Dishonesty/False Statement in Application for Licensure)

23 10. On or about June 29, 2000, respondent submitted an Application for
24 Licensure as a Physician Assistant. Respondent answered "No" to Question Number 10 on the
25 Application which asked, "Have you ever been convicted of, pled nolo contendere to, any
26 offense, misdemeanor, or felony of any state, the United States, or a foreign country? (Except
27 violations of traffic laws resulting in fines of \$500.00 or less.)" Respondent signed the
28 Application on June 29, 2000, certifying under penalty of perjury that all statements made by him

1 were true "in every respect."

2 11. Respondent was convicted on his guilty plea on September 7, 1999, of
3 Driving Under the Influence of Alcohol/Drugs, a Class B Misdemeanor, in a case in the 4th
4 District Court, Utah County, State of Utah entitled "OREM CITY, Plaintiff v. THOMAS OWEN
5 HALL, Defendant," Case No. 995204276 MD. Respondent was fined and placed on probation
6 for 12 months with various terms and conditions. Count 2 of the Information was dismissed and
7 respondent pled no contest to Count 3, an Infraction which alleged Disorderly Conduct.


8 14. Respondent is guilty of unprofessional conduct and is subject to discipline
9 pursuant to Code sections 2234(e) and 2234(f) in conjunction with Code section 480(b)(2) and
10 (c), in that he made a false statement on his application for licensure as a physician assistant
11 when he answered "no" to Question number 10 and failed to disclose his 1999 criminal
12 conviction.

13 PRAYER

14 WHEREFORE, Complainant requests that a hearing be held on the matters herein
15 alleged, and that following the hearing, the Physician Assistant Committee issue a decision:

- 16 1. Revoking Physician Assistant License No. PA-15462 issued to respondent
17 Thomas Owen Hall, P.A.;
- 18 2. Ordering respondent Thomas Owen Hall, to pay the Committee the actual
19 costs of investigation and prosecution of this case and to pay the costs of probation monitoring, if
20 probation is imposed;
- 21 3 Taking such other and further action as deemed necessary and proper.

22 DATED: March 5, 2004

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25 RICHARD L. WALLINDER, JR.
26 Executive Officer
27 Physician Assistant Committee
28 Department of Consumer Affairs
State of California
Complainant